

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

_____X
In re UBS AUCTION RATE SECURITIES)
LITIGATION)
) Master File No. 08-cv-02967 (LMM)
THIS DOCUMENT RELATES TO:)
ALL ACTIONS)
_____X
[additional captions follow]

NOTICE OF MOTION TO ADMIT PRO HAC VICE

MILBERG LLP
Jerome M. Congress
Kent A. Bronson
One Pennsylvania Plaza, 49th Floor
New York, New York 10119
Telephone: (212) 594-5300
jcongress@milberg.com
kbronson@milberg.com

RANDOLPH BONNIST, Individually and On
Behalf Of Himself And All Others Similarly
Situated,

Plaintiff,

VS.

UBS AG, UBS SECURITIES LLC and UBS
FINANCIAL SERVICES, INC.,

Defendants.

Case No. 08-cv-4352 (LMM)

RONALD D. KASSOVER, on behalf of himself
and all others similarly situated,

Plaintiff,

VS.

UBS AG and UBS FINANCIAL SERVICES,
INC.,

Defendants.

Case No. 08-cv-02753 (LMM)

ARIC A. STREIT and MARY STREIT as
Trustees for the benefit of the STREIT LIVING
TRUST, Individually And On Behalf of All Others
Similarly Situated,

Plaintiffs,

V.

UBS AG, UBS SECURITIES LLC and UBS
FINANCIAL SERVICES, INC.,

Defendants.

Case No. 08-cv-5251 (LMM)

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that upon the annexed affidavit of Jerome M. Congress, a member of the law firm of Milberg LLP and a member in good standing of the bar of this Court, in support of this motion, and the Certificate of Good Standing of Jeff S. Westerman, annexed hereto (as Exhibits A and B, respectively), we will move this Court before the Honorable Lawrence M. McKenna at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of

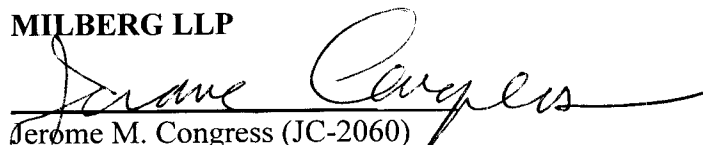
Jeff S. Westerman, Esq.
Milberg LLP
One California Plaza
300 South Grand Avenue Suite 3900
Los Angeles, California 90071
Tel.: 213-617-1200
Fax: 213-617-1975
E-mail: jwesterman@milberg.com

as attorney *pro hac vice* to argue or try this case in whole or in part as counsel. Jeff S.

Westerman is a member in good standing of the bar of the State of California. There are no pending disciplinary proceedings against this applicant in any State or Federal court.

DATED: June 13, 2008

MILBERG LLP


Jerome M. Congress (JC-2060)
Kent A. Bronson (KB-4906)
One Pennsylvania Plaza
New York, New York 10119
Telephone: (212) 594-5300
Facsimile: (212) 868-1229
jcongress@milberg.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

| | | |
|-----------------------------------|---|--|
| _____ | x | |
| In re UBS AUCTION RATE SECURITIES |) | |
| LITIGATION |) | |
| |) | Master File No. 08-cv-02967 (<i>LMM</i>) |
| THIS DOCUMENT RELATES TO: |) | |
| ALL ACTIONS |) | |
| _____ | x | |

[*additional captions follow*]

**AFFIDAVIT OF JEROME M. CONGRESS IN SUPPORT
OF MOTION TO ADMIT COUNSEL *PRO HAC VICE***

MILBERG LLP
Jerome M. Congress
Kent A. Bronson
One Pennsylvania Plaza, 49th Floor
New York, New York 10119
Telephone: (212) 594-5300
jcongress@milberg.com
kbronson@milberg.com

RANDOLPH BONNIST, Individually and On
Behalf Of Himself And All Others Similarly
Situating,

Plaintiff,

vs.

UBS AG, UBS SECURITIES LLC and UBS
FINANCIAL SERVICES, INC.,

Defendants.

Case No. 08-cv-4352 (LMM)

RONALD D. KASSOVER, on behalf of himself
and all others similarly situated,

Plaintiff,

vs.

UBS AG and UBS FINANCIAL SERVICES,
INC.,

Defendants.

Case No. 08-cv-02753 (LMM)

ARIC A. STREIT and MARY STREIT as
Trustees for the benefit of the STREIT LIVING
TRUST, Individually And On Behalf of All Others
Similarly Situated,

Plaintiffs,

v.

UBS AG, UBS SECURITIES LLC and UBS
FINANCIAL SERVICES, INC.,

Defendants.

Case No. 08-cv-5251 (LMM)

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

I, Jerome M. Congress, being, being duly sworn, deposes and says:

1. I am an attorney duly admitted to practice before the Courts of the State of New York and the United States District Court for the Southern and Eastern Districts of New York, as well as the United States Court of Appeals for Second Circuit. I am a member of the law firm of Milberg LLP, co-counsel for plaintiffs in this action. I submit this affidavit in support of the motion to Admit Counsel *Pro Hac Vice* for attorney Jeff S. Westerman, a member of the law firm of Milberg LLP, to appear and practice in this Court in this matter on behalf of plaintiffs. I am familiar with the proceedings in this case, and make this statement based upon my personal knowledge of the facts set forth herein.

2. I was admitted to practice law in 1966. I am a member of the bar in good standing in this Court and have never been subjected to disciplinary proceedings in any jurisdiction.

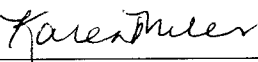
3. I have known Jeff S. Westerman since 1996 and have found him to be a skilled attorney and a person of integrity, and experienced in Federal practice and familiar with the Federal Rules of Procedure.

4. I respectfully submit a proposed order granting the admission of Jeff S. Westerman, *pro hac vice*, which is attached here to as Exhibit A.

WHEREFORE, it is respectfully requested that the motion for admission of Jeff S. Westerman, *pro hac vice*, to represent plaintiffs in the above-captioned matter, be granted.


JEROME M. CONGRESS

Sworn to before me this
13th day of June, 2008



Notary Public

KAREN T. MILES
Notary Public, State of New York
No. 01MI4704613
Qualified in New York County
Commission Expires April 30, 2011

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|-----------------------------------|---|-----------------------------------|
| _____ | x | |
| In re UBS AUCTION RATE SECURITIES |) | |
| LITIGATION |) | |
| |) | Master File No. 08-cv-02967 (LMM) |
| THIS DOCUMENT RELATES TO: |) | |
| ALL ACTIONS |) | |
| _____ | x | |
| [additional captions follow] | | |

[PROPOSED] ORDER ON ADMISSION TO PRACTICE *PRO HAC VICE*

MILBERG LLP
Jerome M. Congress
Kent A. Bronson
One Pennsylvania Plaza, 49th Floor
New York, New York 10119
Telephone: (212) 594-5300
jcongress@milberg.com
kbronson@milberg.com

| | | |
|---|---|----------------------------|
| <hr/> | | X |
| RANDOLPH BONNIST, Individually and On |) | |
| Behalf Of Himself And All Others Similarly |) | |
| Situated, |) | |
| |) | |
| Plaintiff, |) | Case No. 08-cv-4352 (LMM) |
| |) | |
| vs. |) | |
| |) | |
| UBS AG, UBS SECURITIES LLC and UBS |) | |
| FINANCIAL SERVICES, INC., |) | |
| |) | |
| Defendants. |) | |
| |) | |
| <hr/> | | X |
| RONALD D. KASSOVER, on behalf of himself |) | |
| and all others similarly situated, |) | |
| |) | |
| Plaintiff, |) | Case No. 08-cv-02753 (LMM) |
| |) | |
| vs. |) | |
| |) | |
| UBS AG and UBS FINANCIAL SERVICES, |) | |
| INC., |) | |
| |) | |
| Defendants. |) | |
| |) | |
| <hr/> | | X |
| ARIC A. STREIT and MARY STREIT as |) | |
| Trustees for the benefit of the STREIT LIVING |) | |
| TRUST, Individually And On Behalf of All Others |) | |
| Similarly Situated, |) | |
| |) | Case No. 08-cv-5251 (LMM) |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| UBS AG, UBS SECURITIES LLC and UBS |) | |
| FINANCIAL SERVICES, INC., |) | |
| |) | |
| Defendants. |) | |
| <hr/> | | X |

Upon the motion of Jerome M. Congress, attorney for Plaintiffs, and said sponsor's affidavit in support,

IT IS HEREBY ORDERED THAT

Jeff S. Westerman, Esq.
Milberg LLP
One California Plaza
300 South Grand Avenue Suite 3900
Los Angeles, California 90071
Tel.: 213-617-1200
Fax: 213-617-1975
E-mail: jwesterman@milberg.com

is admitted to practice *pro hac vice* as counsel for plaintiffs in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this court are subject to the Local Rules of this Court, including the rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

DATED: _____
New York, New York

HONORABLE LAWRENCE M. MCKENNA



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

May 27, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JEFF S. WESTERMAN, #94559 was admitted to the practice of law in this state by the Supreme Court of California on December 16, 1980; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert", is written over the printed name.

Kath Lambert
Custodian of Membership Records

I, Todd L. Kammerman, hereby certify that on June 13, 2008, I caused a true and correct copy of the foregoing Notice of Motion Admit Counsel *Pro Hac Vice*, Affidavit of Jerome M. Congress in Support of Motion to Admit Counsel *Pro Hac Vice*, and [Proposed] Order on Admission to Practice *Pro Hac Vice* via first class mail to:

Samuel P. Sporn
Joel P. Laitman
Frank R. Schirripa
SCHOENGOLD SPORN LAITMAN & LOMETTI, P.C.
19 Fulton Street, Suite 406
New York, NY 10038
Tel.: (212) 964-0046
Fax: (212) 267-8137

Christopher A. Seeger
Stephen A. Weiss
David R. Buchanan
SEEGER WEISS LLP
One William Street
New York, NY 10004
Tel.: (212) 584-0700
Fax: (212) 584-0799

Jonathan K. Levine
Daniel C. Girard
Aaron M. Sheanin
GIRARD GIBBS LLP
601 California Street, 14th Floor
San Francisco, CA 94108
Tel.: (415) 981-4800
Fax: (415) 981-4846

Norman E. Siegel
STUEVE SIEGEL HANSON LLP
460 Nichols Road, Suite 200
Kansas City, MO 64112
Tel.: (816) 714-7100
Fax: (816) 714-7101

Eduard Korsinsky
Joseph E. Levi
Juan E. Monteverde
LEVI & KORSINSKY, LLP
39 Broadway, Suite 1601
New York, NY 10006
Tel.: (212) 363-7500
Fax: (212) 363-7171

Joe R. Whatley
Edith M. Kallas
Joseph P. Guglielmo
WHATLEY, DRAKE & KALLAS, LLC
1540 Broadway, 37th Floor
New York, NY 10036
Tel.: (212) 447-7070
Fax: (212) 447-7077

Joseph P. Danis
Michael J. Flannery
Corey D. Sullivan
CAREY & DANIS, LLC
8235 Forsyth Blvd., Suite 1100
St. Louis, MO 63105
Tel.: (314) 725-7700
Fax: (314) 721-0905

Edward M. Gergosian
GERGOSIAN & GRALEWSKI LLP
655 West Broadway, Suite 1410
San Diego, CA 92101
Tel.: (619) 237-9500
Fax: (619) 237-9555

A. Hoyt Rowell III
Daniel O. Myers
T. Christopher Tuck
**RICHARDSON, PATRICK, WESTBROOK,
BRICKMAN, LLC**
1037 Chuck Dawley Blvd., Bldg. A
Mt. Pleasant, SC 29464
Tel.: (843) 727-6500
Fax: (843) 216-6509


George Carpinello
BOIES, SCHILLER & FLEXNER, LLP
10 North Pearl Street, 4th Floor
Albany, NY 12207
Tel.: (518) 434-0600

Counsel for Defendants

Keith W. Miller
PAUL, HASTINGS, JANOFSKY & WALKER LLP
75 East 55th Street
New York, NY 10022
Tel.: (212) 318-6000

James D. Wareham
PAUL, HASTINGS, JANOFSKY & WALKER LLP
875 15th Street, N.W.
Washington, DC 20005
Tel.: (202) 551-1700

William F. Sullivan
Howard M. Privette
John S. Durrant
PAUL, HASTINGS, JANOFSKY & WALKER LLP
515 S. Flower Street
Los Angeles, CA 90071
Tel.: (213) 683-6000


Todd L. Kammerman (TK-0601)
MILBERG LLP
One Pennsylvania Plaza
New York, New York 10119
Telephone: (212) 594-5300
Facsimile: (212) 868-1229
tkammerman@milberg.com